

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 2-4, 9, and 13 are now pending in this application, of which claim 2 is independent. The remaining claims are directly dependent from claim 2.

Claim Amendments

By way of this reply, claim 2 has been amended to clarify the invention. Specifically, the functions of the control means recited in the claim have been clarified. Claim 3 has been amended to clarify the invention and remove a redundancy with amended claim 2. Support for the amendments may be found, for example, in Figure 2 of the originally filed application. No new matter has been added by way of the amendment.

Rejection(s) under 35 U.S.C. § 103

Claims 2-3, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over AAPA in view of U.S. Patent No. 5,331,353 ("Levenson") and U.S. Patent Patent 6,006,335 ("Choi"). Claim 4 also stands rejected under 35 U.S.C. § 103(a) as being obvious over AAPA in view of Levenson, Choi, and U.S. Published Application No.20020186325 ("Mear"). As discussed above, by way of this reply, independent claim 2 has been amended to clarify the claimed invention. To the extent that this rejection may still apply to independent claim 2 as amended, the rejection is respectfully traversed for the reason set forth below.

One or more embodiments of the claimed invention are directed to a digital broadcast receiver capable of stopping a starting sequence and starting an ending sequence based on a user's intention even during the execution of the starting sequence. For example, referring to Figures 1 and 2, a control part 7 of a digital broadcast receiving apparatus 1 starts execution of a starting sequence, if a power source operation is inputted in a power source stop state (s2). However, the control part 7 stops the starting sequence to start execution of an ending sequence, when the power source operation is inputted at least once during the execution of the starting sequence (s4). Further, the control part 7 continues to count the number of power source operation inputted (s5) and measures time intervals between the inputted power source operations after stopping the starting sequence (s6). Then, depending on the numbers of the power source operations (s7) and the time intervals between the inputted power source operations after stopping the starting sequence (s6), the control part 7 restarts the execution of the starting sequence (s11) or starts the ending sequence (s8).

This function is particularly convenient, for example, when a user performs the power source operation by mistake, because it takes considerable time for the completion of the starting sequence in a digital broadcast receiving apparatus. According to the function, the user will still be able to perform a desired power source operation without waiting for the completion of the starting sequence in such a case (*See*, for example, paragraph starting on line 12 of page 11 in the original specification).

Further, such an operation logic "depending on *both the number* of the power source operations *and the intervals* between the inputted power source operations after stopping the starting sequence" advantageously provides the user with plural opportunities of changing the operations by

continuing to repeat the input operations, thereby efficiently shortening a latency time, which is caused by erroneous operations. For example, if the even numbers are preset for restarting the execution of the starting sequence, the user can restart the starting sequence even after performing the input operations of a odd number of time by performing another input operation within a certain time interval.

Accordingly, independent claim 2 as amended requires, in part, "wherein the control means continues to count the number of power source operations after stopping the starting sequence, and determines whether a predetermined time interval is elapsed after a final power source operation to determine a total number of the power source operation; and wherein the control means restarts the execution of the starting sequence or starts the ending sequence in accordance with the total number of the power source operation." Thus, claim 2 requires that the control means continues to count the number of power source operation inputted and measures time intervals between the inputted power source operations after stopping the starting sequence, and, *depending on both the total number of the power source operations and the time intervals between the inputted power source operations after stopping the starting sequence, restarts the execution of the starting sequence or starts the ending sequence.*

In contrast, AAPA shows a digital broadcast receiving apparatus for outputting sound or an image to a user for a latency time. Levenson shows an electronic control device including a master unit and a slave unit usable for controlling a television. However, as the Examiner acknowledges, neither the AAPA, nor Levenson, discloses any functions relating to a starting or stopping sequence depending on "counting the number of power source operations." However, the Examiner asserts

that Choi shows the element (*See*, the second paragraph on page 4 of the Office Action). Applicant respectfully disagrees.

Choi shows a computer system that completes a power-off process as one sequential process (*See*, Figure 5 of Choi). Specifically, the system of Choi change its power mode from a normal state to a first power save mode, then, to a second power save mode, and then, to power-off. The system cancels the power-off (P1, P1), if a key input is performed between a first power save mode (S2) and a second power save mode (S3), or if, under the condition that no key input was performed before, a key input is performed between the second power save mode (S3) and the second power save mode (S3). However, as clearly shown in the flowchart of Figure 5, in this sequential process, the system never count the number of the key input, but instead, the system *merely determines whether one key input is performed or not*.

In other words, Choi fails to show or suggest at least the limitation of “*counting the number of power source operations*” required by amended claim 2. Further, due to the failure to disclose the counting process of the number of operations, the system of Choi can never execute any operation depending on *the number of input operation*. Furthermore, unlike the claimed invention, the system of Choi does not perform any operation depending on “*the time intervals of the operations*.” Accordingly, Choi neither teaches nor suggests the above-described feature, “the control means continues to count the number of power source operation inputted and measures time intervals between the inputted power source operations after stopping the starting sequence, and, *depending on both the total number of the power source operations and the time intervals between*

the inputted power source operations after stopping the starting sequence, restarts the execution of the starting sequence or starts the ending sequence,” as required by the claimed invention.

In view of the above, independent claim 2 as amended is patentable over AAPA, Levenson, and Choi, because whether considered separately or in combination, the references fail to teach or suggest all of the limitation of the claim. Claims 3, 4, 9, and 13 are, directly or indirectly, dependent on claim 3. Therefore, claim 3, 4, 9, and 13 are also patentable for at least the same reasons as set forth above. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/133001).

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Respectfully submitted,

By  _____

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